

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on March 18, 2009 at 10
A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Gregory D. Barkus (R)
Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 378, HB 542, HB 567, 3/11/2009

Executive Action: HB 195, HB 291, HB 354, HB 357, HB
386, HB 530

0:01:06___Chairman Balyeat

EXECUTIVE ACTION ON HB 195

Note: A motion that HB 195 BE CONCURRED IN was already on the table from 3/13/09.

Discussion:

00:01:22 Chairman Balyeat

00:01:26 Pat Murdo

00:01:39 **Motion/Vote:** Sen. Keane moved to reconsider the action adopting a previous amendment. Motion carried unanimously 6-0 by voice vote of those present.

Note: Amendments have been put into Exhibit 1 (see below). Vote was not necessary. Discussion ensued on Exhibit 1.

00:02:06 Chairman Balyeat withdrew the Motion.

00:02:49 Chairman Balyeat

EXHIBIT(bus60a01)

Discussion:

00:03:04 Pat Murdo

00:05:07 Chairman Balyeat

00:06:02 Sen. Steinbeisser

00:06:34 Pat Murdo

00:06:56 Chairman Balyeat

00:08:34 Pat Murdo

00:11:13 Chairman Balyeat

00:12:35 Pat Murdo

00:13:24 Chairman Balyeat

00:13:48 **Motion/Vote:** Sen. Tropila moved **TO AMEND HB 195**. Motion carried 11-0 by voice vote. Sen. Barkus, Sen. Peterson, Sen. Squires, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy. (Exhibit 1)

00:15:23 **Motion:** Sen. Steinbeisser moved that **HB 195 AS AMENDED BE CONCURRED IN**.

Discussion:

00:15:35 Sen. Brown

00:15:41 Pat Murdo

00:16:09 **Vote:** Motion carried unanimously 11-0 by voice vote.
Sen. Barkus, Sen. Peterson, Sen. Peterson, Sen.
Stewart-Peregoy and Sen. Windy Boy voted by proxy. Sen.
Balyeat will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 357

00:16:54 **Motion:** Sen. Keane moved that **HB 357 BE CONCURRED IN.**

Discussion:

00:17:37 Chairman Balyeat

00:17:40 Pat Murdo

00:18:00 **Vote:** Motion carried unanimously 11-0. Sen. Barkus,
Sen. Peterson, Sen. Squires, Sen. Stewart-Peregoy, and
Sen. Windy Boy voted by proxy. Sen. Jackson will carry
the bill on the Senate floor.

EXECUTIVE ACTION ON HB 354

00:18:54 **Motion:** Sen. Jackson moved that **HB 354 BE CONCURRED
IN.**

Discussion:

00:19:10 Pat Murdo

00:19:30 **Motion:** Sen. Brown moved that **HB 354 BE AMENDED.**
Motion carried unanimously 11-0 by voice vote. Sen.
Barkus, Sen. Peterson, Sen. Squires, Sen. Stewart-
Peregoy, and Sen. Windy Boy voted by proxy.

EXHIBIT (bus60a02)

00:20:29 **Motion:** Sen. Jackson moved that **HB 354 AS AMENDED BE
CONCURRED IN.**

Discussion:

00:21:01 Pat Murdo

00:21:35 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Barkus, Sen. Peterson, Sen Squires, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy. Sen. Kelly Gebhardt will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 386

00:22:17 **Motion:** Sen. Keane moved that **HB 386 BE CONCURRED IN. [EXHIBIT \(bus60a03\)](#)**

Discussion:

00:22:47 Pat Murdo
00:23:56 Chairman Balyeat
00:24:01 Pat Murdo
00:25:25 Sen. Brown
00:25:29 Pat Murdo
00:25:38 Chairman Balyeat
00:26:13 Pat Murdo
00:28:17 Chairman Balyeat
00:28:34 Sen. Keane

00:29:03 **Motion/Vote:** Sen. Brown moved **TO AMEND HB 386.** Motion carried unanimously 11-0 by voice vote. Sen. Barkus, Sen. Peterson, Sen. Squires, Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.
[EXHIBIT \(bus60a04\)](#)

00:29:40 **Motion/Vote:** Sen. Keane moved that **HB 386 AS AMENDED BE CONCURRED IN.** Motion carried unanimously 11-0 by voice vote. Sen. Barkus, Sen. Peterson, Sen. Peterson, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy. Sen. Steinbeisser will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 291

00:31:17 **Motion:** Sen. Jackson moved that **HB 291 BE CONCURRED IN.**
[EXHIBIT \(bus60a05\)](#)

Discussion:

00:31:52 Pat Murdo
00:32:16 Chairman Balyeat
00:34:55 Pat Murdo
00:36:00 Sen. Tropila
00:36:07 Pat Murdo

00:36:49 Sen. Keane
00:37:04 Pat Murdo
00:37:15 Chairman Balyeat
00:38:23 Sen. Keane
00:38:32 Sen. Brown

00:39:00 **Motion/Vote:** Sen. Keane moved **TO AMEND HB 291**. Motion carried 9-2 by voice vote. Sen. Brown and Sen. Squires voted no. Sen. Barkus, Sen. Peterson, Sen. Stewart-Peregoy, Sen. Squires, and Sen. Windy Boy voted by proxy.

EXHIBIT (bus60a06)

00:40:09 **Motion/Vote:** Sen. Keane moved that **HB 291 AS AMENDED BE CONCURRED IN**. Motion carried 8-3 by voice vote. Sen. Barkus, Sen. Brown, and Sen. Squires voted no. Sen. Barkus, Sen. Peterson, Sen. Stewart-Peregoy and Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Keane will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 530

00:45:54 **Motion:** Sen. Steinbeisser moved that **HB 530 BE CONCURRED IN**.

Discussion:

00:46:31 Chairman Balyeat
00:47:46 Sen. Keane
00:47:59 Sen. Brown
00:49:08 Sen. Keane

00:49:32 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Barkus, Sen. Peterson, Sen. Squires, Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy. Sen. Balyeat will carry the bill on the Senate floor.

Discussion on HB 286:

00:51:00 Pat Murdo
00:52:09 Sen. Keane
00:52:18 Chairman Balyeat

Discussion on HB 390:

00:54:57 Pat Murdo
00:57:29 Sen. Keane
00:57:33 Chairman Balyeat

Discussion on HB 331:

00:59:04 Pat Murdo

EXHIBIT (bus60a07)

01:00:17 Chairman Balyeat

01:00:54 Sen. Tropila

01:02:21 Recess

01:26:51 Resume

HEARING ON HB 542

Opening Statement by Sponsor:

01:27:18 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 542, Revise motorsports manufacturers unfair trade practices laws.

Proponents' Testimony:

01:29:14 Brad Griffin, Montana Equipment Dealers

01:32:15 Curt Lance, Team Bozeman Motor Sports

01:39:34 Jacque VanBuren, Sports City Cyclery

01:41:39 Glenn Middlestead, Helena Cycle Center

01:42:30 Sue McCombs, Hi-Tech Motor Sports, Billings

01:45:12 Cory Swanson, Citizens for Balanced Use

01:47:00 Rep. Lou Jones, HD 27, Dealer, Pure Bliss Cycles

01:52:53 Vanessa Clark, Montana Snowmobile Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:54:13 Chairman Balyeat

01:54:39 Brad Griffin

01:54:57 Chairman Balyeat

01:56:44 Curt Lance

01:58:56 Pat Murdo

02:00:00 Sen. Barkus

02:02:40 Curt Lance

02:03:24 Sen. Keane

02:03:56 Sen. Jackson

02:07:14 Curt Lance

Closing by Sponsor:

02:08:30 Rep. Vance

HEARING ON HB 378

Opening Statement by Sponsor:

02:09:13 Rep. Mark Blasdel (R), HD 10, opened the hearing on HB 378, Exempt carriers for freight forwarders from workers compensation.

Proponents' Testimony:

02:10:17 Spook Stang, Executive Director, Montana Motor Carriers Association

EXHIBIT(bus60a08)

Opponents' Testimony: None

Informational Testimony:

02:14:01 Kevin Braun, Montana State Fund

02:14:14 Jerry Keck, Montana Department of Labor

Questions from Committee Members and Responses:

02:14:30 Sen. Keane

02:14:51 Spook Stang

Closing by Sponsor:

02:15:07 Rep. Blasdel

02:17:00 Recess

02:23:40 Resume

HEARING ON HB 567

Opening Statement by Sponsor:

02:23:55 Rep. Jon Sonju (R), HD 7, opened the hearing on HB 567, Revise automobile dealer franchise laws.

EXHIBIT(bus60a09)

Proponents' Testimony:

02:25:42 Bruce Spencer

02:35:33 Tim Hubbard, University Motors, Missoula

EXHIBIT (bus60a10)

02:38:03 Joe Billion, car dealer, Bozeman

02:44:42 Don Kaltschmidt, owner, Don K Chevrolet, Whitefish

02:48:49 Eric Anderson, Placer Motors, Helena

Opponents' Testimony:

02:52:04 Mona Jamison, General Motors

02:56:09 John MacDonald, Auto Alliance

Informational Testimony: None

Questions from Committee Members and Responses:

02:58:18 Sen. Barkus

02:58:22 Bruce Spencer

03:01:53 Sen. Brown

03:01:56 Bruce Spencer

03:05:24 Sen. Jackson

03:05:37 Bruce Spencer

Closing by Sponsor:

03:06:10 Rep. Sonju

03:08:00 Vice Chair Jackson

03:09:10 Pat Murdo

ADJOURNMENT

Adjournment: 11:43 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus60aad.pdf](#))